

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

New claims 18-20 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are now pending in this application. Claim 17 has been withdrawn from consideration.

Priority

Applicant notes that some, but not all, boxes were checked in the Office Action Summary of the Office Action and in the Office Action Summary of the previous Office Action to acknowledge Applicant's claim for foreign priority. Applicant respectfully requests that the next Office correspondence fully acknowledge Applicant's claim for foreign priority.

Information Disclosure Statement

Applicant acknowledges receipt of a copy of the PTO/SB/08 form submitted with an Information Disclosure Statement on June 2, 2006. Applicant notes that an Information Disclosure Statement and PTO/SB/08 form were also filed on August 6, 2008. Applicant respectfully requests that the next Office correspondence include a signed and initialed copy of this PTO/SB/08 form.

Objections to the Specification

The specification is objected to for containing informalities. Applicant respectfully submits that the amendments to the specification render these objections moot.

Rejections under 35 U.S.C. § 103

Claims 1-7 and 11-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 02/45198 to Hara *et al.* (hereafter “Hara”) in view of U.S. Pub. No. 2005/0016729 to Savage (hereafter “Savage”). This rejection is respectfully traversed.

Hara discloses a cell plate arrangement that includes a first cell plate 6A with an air electrode layer 2a between a substrate 4 and a solid electrolyte layer 3, and a second cell plate 6B with a fuel electrode layer 1a between a substrate 4 and a solid electrolyte layer 3. See Hara at col. 13, lines 13-17, and Figure 6.

The Office states on page 3 of the Office Action that the air electrode layer 2a and the fuel electrode layer 1a disclosed by Hara serve as a current collector. The Office also states on page 3 of the Office Action that the fuel electrode layer serves as porous electrode. However, the fuel electrode layer 1a of Hara cannot be both a porous electrode section of a power-generating element and a current collector layer as recited in claim 1 because claim 1 recites, among other things, that a plurality of power-generating elements and current collector layers are stacked together in a stack direction.

Additionally, the Office states on page 4 of the Office Action that Hara does not disclose or suggest all of the features of claim 1 because Hara does not disclose a plurality of gas supply branch flow passages branched off from one of a plurality of gas supply flow channels, the plurality of gas supply flow passages terminating at a plurality of blowout ports. Nor does Hara disclose or suggest a solid oxide fuel cell comprising, among other things, a plurality of first current collector layers, a plurality of gas supply flow channels, and a plurality of gas supply branch flow passages branched off from one of the plurality of gas supply flow channels, the plurality of gas supply branch flow passages terminating at a plurality of blowout ports, respectively, wherein the gas supply branch flow passages and the blowout ports are formed within a surface of the associated one of the plurality of first current collector layers which is disposed adjacent the electrode section of an associated one of the plurality of electric power-generating elements, as recited in claim 1. Claims 2-7 and 11-13 depend from claim 1.

The Office cites the teachings of Savage to cure the deficiencies of Hara. In particular, the Office references Figure 35 and paragraph 0142 of Savage on page 4 of the Office Action. Applicant notes that paragraph 0142 of Savage describes plates, such as the plate 10002 shown in Figure 35, while paragraph 0147 describes Figure 35 of Savage. In paragraph 0147, Savage discloses a fuel cell that includes an interconnect plate 10400 surrounding fluid conduits 19992, 29992, 39992, 49992. The interconnect plate 10400 includes passages 66662 and channels 60602.

However, the passages 66662 and channels 60602 disclosed by Savage are formed in an interconnect plate, not a current collector. Thus, Savage does not remedy the deficiencies of Hara because the Savage also does not disclose or suggest a solid oxide fuel cell comprising, among other things, a plurality of first current collector layers, a plurality of gas supply flow channels, and a plurality of gas supply branch flow passages branched off from one of the plurality of gas supply flow channels, the plurality of gas supply branch flow passages terminating at a plurality of blowout ports, respectively, wherein the gas supply branch flow passages and the blowout ports are formed within a surface of the associated one of the plurality of first current collector layers which is disposed adjacent the electrode section of an associated one of the plurality of electric power-generating elements, as recited in claim 1.

For at least the reasons discussed above, the combination of Hara and Savage does not render claims 1-7 and 11-13 to be unpatentable because this combination does not disclose or suggest all of the features of claim 1. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 8-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hara and Savage, and further in view of U.S. Patent No. 6,649,296 to Minh (hereafter “Minh”). This rejection is respectfully traversed. Applicant respectfully submits that Savage has been removed as a prior art reference, thus leaving only Hara and Minh in this rejection. Applicant respectfully submits that Hara and Minh fail to disclose or suggest all of the features of claim 1, from which claims 8-10 depend. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hara and Savage, and further in view of U.S. Patent No. 5,856,035 to Khandkar *et al.* (hereafter “Khandkar”). This rejection is respectfully traversed. Applicant respectfully submits that Savage has been removed as a prior art reference, thus leaving only Hara and Khandkar in this rejection. Applicant respectfully submits that Hara and Khandkar fail to disclose or suggest all of the features of claim 1, from which claim 14 depends. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hara, Savage, and Minh, and further in view of Khandkar. This rejection is respectfully traversed. Applicant respectfully submits that Savage has been removed as a prior art reference, thus leaving only Hara, Minh, and Khandkar in this rejection. Applicant respectfully submits that Hara, Minh, and Khandkar fail to disclose or suggest all of the features of claim 1, from which claim 15 depends. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hara and Savage, and further in view of U.S. Patent No. 5,770,327 to Barnett *et al.* (hereafter “Barnett”). This rejection is respectfully traversed. Applicant respectfully submits that Savage has been removed as a prior art reference, thus leaving only Hara and Barnett in this rejection. Applicant respectfully submits that Hara and Barnett fail to disclose or suggest all of the features of claim 1, from which claim 16 depends. Reconsideration and withdrawal of this rejection is respectfully requested.

New Claims

New claims 18-20 have been added. Claims 18 and 19 depend from claim 1 and are allowable over the prior art for at least the reasons discussed above and for their respective additional recitations.

New claim 20 recites a solid oxide fuel cell comprising, among other things, a plurality of electric power-generating elements, current collector layers, and a separator, wherein an associated one of adjacent current collector layers which is disposed adjacent a

porous fuel electrode has a plurality of fuel gas supply branch passages branched off from a fuel gas supply flow channel and a plurality of fuel gas exhaust flow channels formed inwardly from an other surface thereof, wherein the plurality of fuel gas supply branch passages allow fuel gas within the fuel gas supply flow channel to flow from the one surface of the associated one adjacent current collector layer which is disposed adjacent the porous fuel electrode to the other surface of the associated one adjacent current collector layer which is disposed adjacent the porous fuel electrode to blow the fuel gas out of the other surface toward the porous fuel electrode of the associated one of the plurality of electric power-generating elements. Applicant respectfully submits that the prior art relied upon by the Office does not disclose or suggest all of the features of claim 20.

Conclusion

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

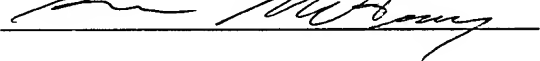
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

DEC 10 2008

Date _____

By  _____

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